B. Claim 8, drawn to a method for detecting the presence of a nucleic acid molecule in a sample, classified in class 435, subclass 6.

C. Claims 11-15, drawn to a binding compound comprising an antibody binding site and method for detecting protein, classified in class 530, subclass 388.22, for example.

D. Claims 16-18, drawn to polypeptides, classified in class 530, subclass 350, for example.

E. Claims 19 and 20, drawn to a method for modulating a precursor cell physiology or function comprising contacting a cell with a polypeptide, classified in class 424, subclass 85.2, for example.

The Examiner also restricted the application into eight separate inventions, I-VIII:

I. SEQ ID NOS:1 and 2, classification dependent upon the nature of the inventions.

II. SEQ ID NOS:3 and 4, classification dependent upon the nature of the inventions.

III. SEQ ID NOS:5 and 6, classification dependent upon the nature of the inventions.

IV. SEQ ID NOS:7 and 8, classification dependent upon the nature of the inventions.

V. SEQ ID NOS:12 and 13, classification dependent upon the nature of the inventions.

VI. SEQ ID NOS:14 and 15, classification dependent upon the nature of the inventions.

VII. SEQ ID NOS:16 and 17, classification dependent upon the nature of the inventions.

VIII. SEQ ID NOS:18 and 19, classification dependent upon the nature of the inventions.

Applicants elect Group C, drawn to a binding compound comprising an antibody binding site and method for detecting protein. Group C comprises Claims 11-15, as filed. Applicants further provisionally elect, with traverse, Group VIII, drawn to SEQ ID Nos:18 and 19.

Applicants traverse the Restriction Requirement on the grounds that no serious burden would exist to examine binding compounds which specifically bind to the polypeptide sequences of Groups VI, VII, and VIII.

Applicants submit that the polypeptide sequence of provisionally elected Group VIII, SEQ ID NO:19, has significant overlap with the corresponding polypeptide sequences of Groups VI and VII. For the Examiner's convenience an alignment of these sequences is provided in the Appendix. Applicants submit that the polypeptides of SEQ ID Nos: 15, 17, and 19 are merely variations of the same molecule, e.g., all containing a core structure.

Applicants contend that the extensive regions of sequence identity will provide a number of shared epitopes, therefore permitting one binding compound, e.g., one antibody, to bind to the polypeptides of Groups VI, VII, and VIII. Applicants therefore conclude that it would not be a serious burden to rejoin Groups VI, VII, and VIII.

In view of the considerable sequence identities of the polypeptide sequences of Groups VI, VII, and VIII, the shared epitopes that are expected to be capable of binding a single binding compound, and the USPTO policy of permitting a reasonable number of sequences to be examined together (see MPEP 803.04), Applicants respectfully request that these Groups should be rejoined and examined together.

Applicants will address the issue of inventorship for the elected claims and amend inventorship appropriately if the elected restriction is made final.

Applicants reserve the right to file subsequent divisional applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Since Applicants have fully and completely responded to the Restriction Requirement and have made the required election, this application is now in order for early action.

Applicants believe no further fees are due with the present response. Should this not be the case, Applicants authorize the Commissioner to charge any additional fees or credit any overpayments to deposit account No. 04-1239. If the Examiner believes that a telephonic conference would aid the prosecution of this case in any way, please call the undersigned.

Respectfully submitted,

Date: September 17, 2002

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